

Right to Farm Program Michigan Department of Agriculture

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Right to Farm Act

- Definitions:
 - Farm
 - Farm Operation
 - Farm Product
 - GAAMPs
- Complaint response per MOU



What is Right to Farm?

- Nuisance protection for farms
- Environmental complaint response
- Conflict resolution work
 - Farmer
 - Complainant
 - Other agencies
 - Land use issues



What else is Right to Farm?

State Law: P.A. 93, of 1981, as amended.

- Pollution prevention
- MDA/DEQ Memorandum of Understanding
- Farm management practices (GAAMPs)
- Manure Management System Plans (MMSP)
- Site selection for new farm facilities
- Preemption of certain local ordinances



Pollution Prevention

- Michigan's Right to Farm GAAMPs are environmental performance standards.
- GAAMPs reference:
 - State Environmental Laws
 - NRCS Technical Guide
 - MSU Extension Bulletins
 - Midwest Plan Service



MDA and DEQ Partnership

- Memorandum of Understanding
 - State agency roles and responsibilities
 - Environmental & nuisance complaints



What are RTF GAAMPs?

- Generally Accepted Agricultural and Management Practices (GAAMPs)
- Scientifically based
- Nuisance protection
- Compliance w/ Natural Resources and Environmental Protection Act (NREPA)
- Environmental resource protection
 - Soil, surface water, groundwater, air, plants, animals and humans - sound familiar?



RTF GAAMPs

- 1988 - Manure Management and Utilization
- 1991 - Pesticide Utilization and Pest Control
- 1993 - Nutrient Utilization
- 1995 - Care of Farm Animals
- 1996 - Cranberry Production
- 2000 - Site Selection and Odor Control for New and Expanding Livestock Facilities
- 2003 - Irrigation Water Use
- 2010 – Farm Markets



Michigan Animal Agriculture

- All Michigan Farms: 50,000
- Michigan farms with animals: 20,000
- Mich. farms considered CAFOs: ~218



Manure Management and Utilization

- Runoff Control & Wastewater Management
- Odor Management
- Construction Design & Management for Manure Storage & Treatment Facilities
- Manure Application to Land



Manure Management System Plans

- MMSP focus areas:
 - Management of manure nutrients
 - Management of manure and odor
- Is the farm operation sustainable?
 - Economically \$\$\$
 - Environmentally
 - Socially?



Manure Management System Plans

- Production
- Collection
- Storage
- Transfer
- Treatment*
- Utilization
- Record keeping
- Odor Control



Manure Management System Plans

- Components of a MMSP
 - Depends on individual farming operation
 - Size
 - Complexity
 - Appropriate technology
 - Farm specific
 - Site specific
 - Flexibility



Other Planning Tools

- Livestock*A*Syst
- CNMP
- Manure Spreading Plan
- Conservation Plan
- Corrective Action Plan



Manure Utilization

- Keep manure in the soil/plant system
 - Know your cropland base
 - Soil test and take nutrient credits
 - Use realistic yield goals
 - Determine application rate(s)
 - Apply manure at an agronomic rate
 - Incorporate when feasible



Record keeping

- Keep records!
 - Soil test reports (at least every 3 years)
 - Manure nutrient analysis
 - Date of manure application
 - Rate of manure applied
 - Previous crops grown
 - Yields of past harvested crops



Manure Runoff Control

- Runoff control required if polluted runoff:
 - Leaves owner's property
 - Adversely impacts surface and/or groundwater
- Includes runoff to:
 - Neighbor's land
 - Roadside ditch
 - Drainage ditch
 - Creek, stream, or lake



Odor Management

- Manage to minimize odors
 - Odor perception is subjective
- Minimize using the FIDO Model
 - Frequency
 - Intensity
 - Duration
 - Offensiveness



Odor Management

- Minimize and Prevent Nuisance Conditions
- Prox. to neighbors, tech. & mgmt needed:
 - Minimize odor impacts on neighbors
- Silage Feed Moisture, Food By-products
- Storage or stacking of manure
- Temporary stacking manure at farm
- Manage field stockpiled manure:
 - Minimize potential odors to non-farm neighbors
 - Prevents runoff



RTF Complaint Response

- Environmental regulation of farms
- Complaint driven
- Voluntary (not enforceable)
- Mediator
 - Complainant
 - Other agencies
- Conflict resolution



Complaint Response In Action

- Complaint
 - Notification letter to farmer
 - Initial on-site inspection (scheduled)
 - Inspect within 7 business days
 - Determine if the farm conforms to GAAMPs?
 - Yes: Complaint not verified, file closed.
 - No: Change needed to earn RTF protection.



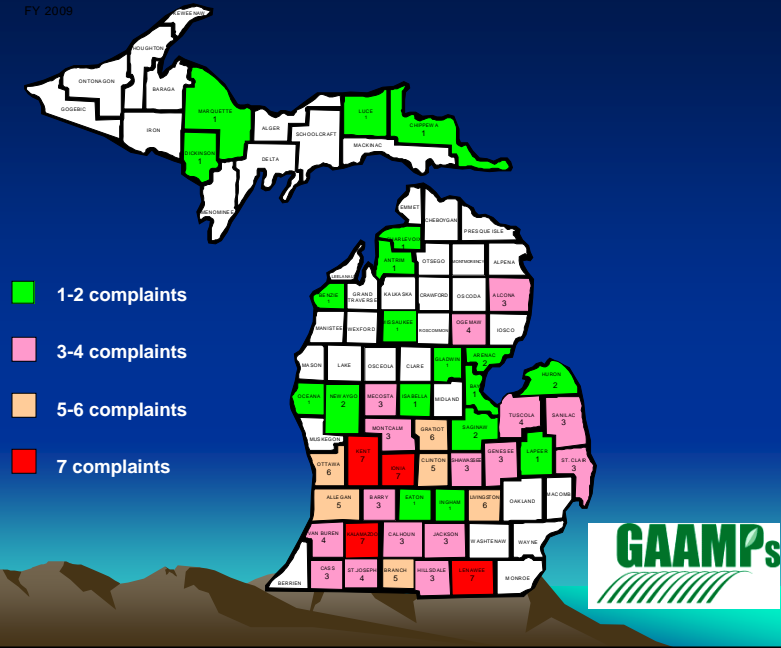
Complaint Response In Action

- Verified complaints: correct problem(s)
 - Plan or letter of intent to MDA within 60 days
 - MMSP, corrective action plan, fix problem(s)
- Follow-up MDA RTF inspection



Number of Complaints by County – FY 2009

FY 2009



RTF complaints by enterprise type for fiscal years 2006 through 2009

Comparison of Complaints between Enterprise Types (Percent)				
	2009	2008	2007	2006
Beef	18	17	20	15
By-Products ^[1]	0	2	3	2
Crops ^[2]	12	8	10	8
Dairy	33	27	29	31
Equine	23	21	16	20
Poultry	2	4	4	5
Swine	9	17	8	9
Combination ^[3]	0	0	3	3
Exotic ^[4]	3	4	7	0

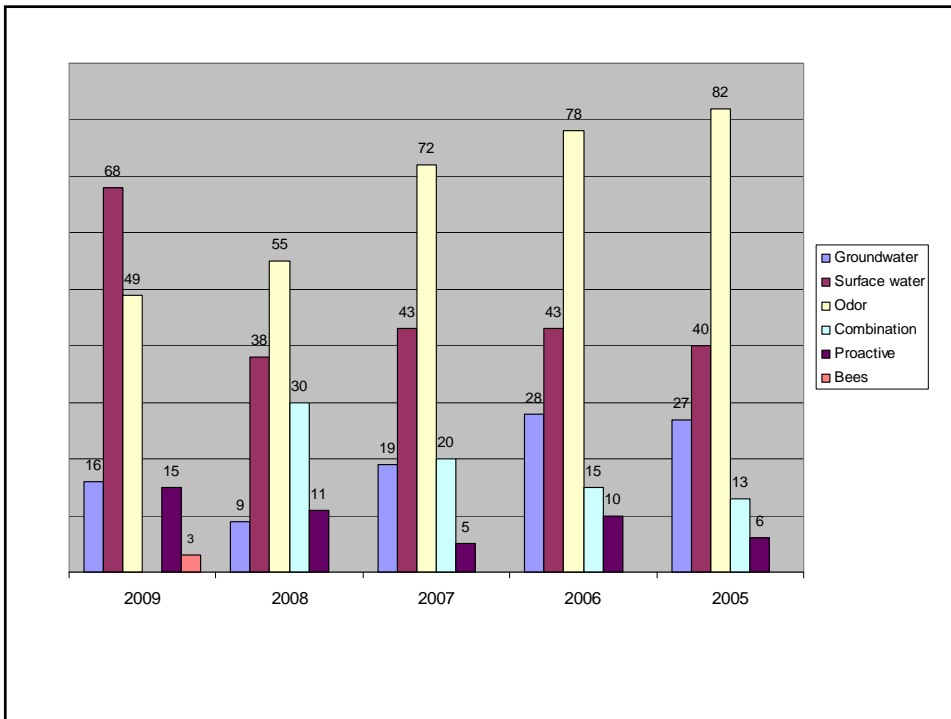
- ^[1] By-products from fruit and vegetable food processing
- ^[2] Crops refer to complaints concerning fertilizer, soil erosion, and crop production practices
- ^[3] Two or more species included in complaint-since 2008, enterprise type has been classified based on the primary enterprise at the farm
- ^[4] Includes alpacas, bees, deer, llamas, and sheep

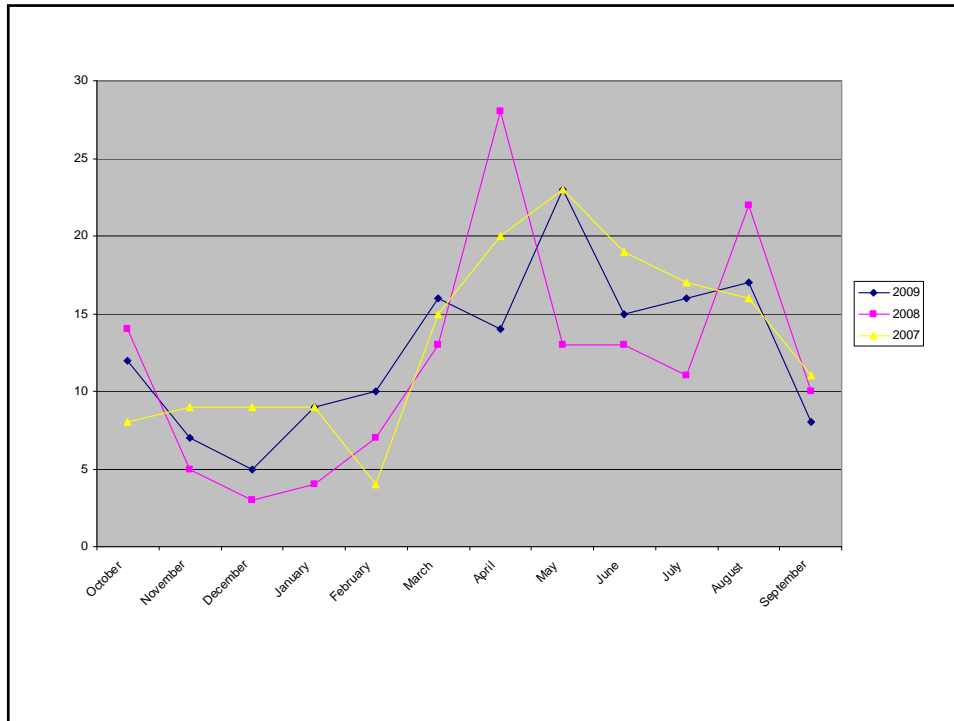


Environmental complaint concerns for fiscal years 2006 through 2009

Comparison of Complaints Types (Percent)				
	2009	2008	2007	2006
Air Quality	35	42	47	48
Groundwater	13	7	12	17
Surface Water	50	29	28	26
Combination ⁽¹⁾	0	23	10	8
Bees	2	0	3	

¹ Two or more resource concerns cited in complaint





Total investigations per fiscal year

Fiscal Year	Total Investigations	Follow Up Inspections
FY 2009	152	109
FY 2008	143	105
FY 2007	164	145
FY 2006	174	140
FY 2005	174	134
FY 2004	131	102
FY 2003	127	162
FY 2002	145	231
FY 2001	157	135



Comparison of Verified versus Not Verified complaints per year

Fiscal Year	Verified versus Not Verified (Percent)
FY 2009	65 : 32 (remaining 1% for Not Verified Needed Plan and 2% for other)
FY 2008	57 : 37 (remaining 6% for Other)
FY 2007	59 : 37 (remaining 1% for Not Verified Needed Plan and 3% for other)
FY 2006	51 : 45 (remaining 2% for Not Verified Needed Plan and 2% for other)
FY 2005	43 : 50 (remaining 4% for Not Verified Needed Plan and 3% for other)
FY 2004	60 : 34 (remaining 6% for Not Verified Needed Plan)
FY 2003	73 : 27
FY 2002	77 : 23
FY 2001	61 : 39



Complainants in percentage by fiscal year

Fiscal Year	Total Complaints (Percent)		
	Neighbor	DEQ	Other
FY 2009	64	31	5
FY 2008	71	22	7
FY 2007	68	20	12
FY 2006	60	31	9
FY 2005	60	25	15
FY 2004	59	35	6
FY 2003	61	28	11
FY 2002	68	29	3
FY 2001	81	15	4



Role of GW Technician

- Technical assistance with a plan
- Farm-specific recommendations
- Realistic/reasonable options
- Document farmer's decisions



Agricultural management practices implemented in response to RTF complaints for fiscal year 2009.

Corrective Practices	Results
Surface water quality protection	
Livestock excluded from surface water	525 Animal Units
Stream bank fencing installed	5 Projects
Feet of stream bank fencing installed	2800 Feet
Controlled watering access sites installed	2
Vegetative buffer/filter areas installed	10
Runoff control/groundwater protection	
Runoff control structures installed	29
Number of farms that utilized stockpiled manure/by-products	17
Number of fields on which manure was incorporated	2
Number of farms that provided soil tests	6



Agricultural management practices implemented in response to RTF complaints for fiscal year 2009.

Pollution prevention	
Manure Management System Plans (MMSP) or Nutrient Management Plans (NMPs) developed and implemented	11
Animal Units covered by Plans	1945
Application acres covered by Plans	3845
Proactive	
Proactive inspections	15
Other	
Installed new manure storage	3
Storage decommissioned	1
Odor control practices	1
Installed an alternative watering source	2
Milk house and parlor wastewater management plan	2
Cows sold	2
Erosion control	1
Application records, soil tests, manure analysis	4





GAAMPs
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GAAMPs
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Questions?

